

APPLICATION NUMBER	10/673,787	P.O. Box 1450 Alexandria, VA 22313-1450 www.uspto.gov
FILING DATE		
FIRST NAMED APPLICANT		
ATTY. DOCKET NO. TITLE		

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DATE MAILED:

NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)

improper for reason(s) indicated below:

- ☐ 1. Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
- ☐ 2. Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
- ☐ 3. Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
- ☐ 4. The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
- ☐ 5. The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on _____. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
- ☒ 6. The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice. **(CHECK NOT ATTACH)**
- ☐ 7. The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date on or after June 8, 1995 will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an Improper RCE for the reason(s) indicated above.

A copy of this notice **MUST** be returned with any reply.

Direct the reply and any questions concerning this notice to:

[Signature] Technology Center 1700

FORM PTO-2051 (Rev. 7/2003)

* **DRAWING NEEDS TO BE LABEL.**

Best Available Copy

November 12, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

To Whom It May Concern:

Concerning my application, I am writing to request another extension and examination. The application contains updated information from my last meeting with Mr. Reginald Alexander, the examiner to date. Unfortunately due to unforeseen circumstances I have not attached a check to my paperwork. Please reconsider the status and extend the payment to this year's end.


The aforementioned meeting took place after the application was given Final Rejection Status expecting the revisions to come in as a Request for Continued Examination (RCE). The contents for the RCE to include changes discussed together with the inventor, myself and the examiner, Mr. Alexander. The latest revisions do have the changes they do not have a check.

After four years of working on this application it is very unfortunate that it has come to an end and I implore you to extend the examination period until December 31, 2006. If I am reading things correctly the only thing that's missing is a check and otherwise as previously stated the claims and such have been discussed and based on that fact should get issued.

I was told my application was lost or misplaced during the patent office move and I resubmitted everything twice. That was a long time ago and is not necessarily relevant other than that I am sincerely in need of additional time to make that payment and am asking for your consideration.

Thank you for very much for your consideration,

Best regards,


Ann Payne
202-492-2510